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July 20, 2010

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VIA ECF AND OVERNIGHT MAIL

The Honorable William H. Walls
United States District Judge
Martin Luther King, Jr. Federal Building
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: Gutierrez, et al. v. Johnson & Johnson, Civil Action No. 01-5302

Dear Judge Walls:

On page 3 of its July 16 letter to you, Defendant Johnson & Johnson refers to *Ford v. United States Steel Corp.* as one of the cases we cited to Your Honor during oral argument on July 8. The citation referred to by the Defendant is incorrect. The correct citation is *United States/Ford v. United States Steel Corp.*, 371 F.Supp. 1045, 1050 (N.D.Ala.1973); 520 F.2d 1043, 1048-1057 (5th Cir.1975).

The district court opinion in *United States /Ford* reflects that there were over 1000 production and maintenance positions in job class levels ranging from 1-30. The Fifth Circuit opinion is instructive on the manageability of a Rule 23(b)(2) action seeking backpay.

Thank you for your consideration of this matter.

Very truly yours,

Cyrus Mehri

cc: Theodore Wells, Esq. (via electronic mail)
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